



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

SNELL & WILMER
400 EAST VAN BUREN
ONE ARIZONA CENTER
PHOENIX AZ 85004-2202

COPY MAILED

NOV 24 2006

OFFICE OF PETITIONS

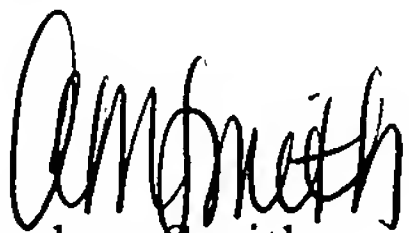
In re Application of
Kemmons A. Tubbs
Application No. 10/710,991
Filed: August 16, 2004
Attorney Docket No. 41821.0937

NOTICE

This is in response to the petition under 37 CFR 1.28 filed by facsimile transmission on September 18, 2006, which is being treated as a Request under 37 CFR 1.27(c) seeking status as a small entity.

The statement claiming small entity status has been made of record and small entity status has been accorded. Therefore, the large entity issue fee payment of \$1,400, filed June 16, 2006, will be reduced by half, leaving a refund of \$700 to be credited to petitioner's deposit account, as authorized.

The application file is being referred to Files Repository.


Andrea Smith
Petitions Examiner
Office of Petitions